

Application No. 10/757,779  
Amendment dated May 30, 2006  
Reply to Office Actions of November 29, 2005 and March 14, 2006

### **REMARKS**

In a previous office mailed November 20, 2005, a restriction was declared as between claims 1-22 and 25-28 (Group I) and claims 23 and 24 (Group 2). Claims 5, 10, 21, and 22 were objected to for informalities. Claims 1 and 11 were rejected under 35 U.S.C. 112, 2<sup>nd</sup> paragraph. Claims 1, 11-17, 19, 25, and 26 were rejected under 35 U.S.C. 103(a) given Annis (U.S. Patent No. 5,493,596) ("Annis"). Claims 2-10, 27, and 28 were objected to as depending upon rejected base claims but were otherwise found to contain allowable subject matter. The applicant submitted an Amendment B After Final to address certain of these points, which amendment the Examiner has refused to enter. In particular, the Examiner deemed the applicant's changes to claim 1 to be an insufficient response and the changes to claim 11 to require a further search and consideration. The applicant thanks the Examiner for the indications of allowable subject matter and now files an RCE along with the Amendment C to present alternative changes to claim 1 and to provide the Examiner with an opportunity to search claim 11 in its modified form. Accordingly, the applicant traverses the objections and rejections specified and respectfully requests reconsideration.

A restriction was declared as between claims 1-22 and 25-28 (Group I) and claims 23 and 24 (Group 2). The applicant accepts this restriction without traversal. Claims 23 and 24 have been cancelled and are no longer presented for consideration.

Claims 5, 10, 21, and 22 were objected to for informalities. By this amendment, the applicant corrects the dependencies of claims 5 and 10, corrects the typographical error "source" as appeared in claim 5, and cancels claim 22. The applicant thanks the Examiner for bringing these informalities to the attention of the applicant to facilitate their correction.

Claims 1 and 11 were rejected under 35 U.S.C. 112, 2<sup>nd</sup> paragraph.

As to claim 1, the Examiner argues that it is vague and indefinite to refer to a first collimator that is "in addition to any other collimator that may be integral to the X-ray source" and asks, "Is there another collimator or not?" The applicant's "first collimator" is separate and apart from the X-ray source, and hence is separate and apart from any collimator that the X-ray source itself may have. The applicant's invention neither requires that the X-ray source have an integral collimator nor that it doesn't.

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The applicant has revised the wording of claim 1 to attempt to make this point more clear for the Examiner. As revised, the relevant text now reads:

a first collimator that is disposed between the X-ray source and the scanning zone and that is located proximate the X-ray source, wherein the first collimator is in addition to any collimator that is integral to the X-ray source; . . . .

With all due respect, the applicant respectfully submits that this claim language is not unduly vague. In fact, it is quite clear and specific – the relative location of the first collimator is specified as being between the X-ray source and the scanning zone and the first collimator is further identified as being supplemental to any collimator that the X-ray source itself might have. That this presents an alternative is not, in and of itself, sufficient to justify a rejection under 112. The scope and breadth of the invention in this regard is clear and unambiguous.

The applicant therefore respectfully submits that claim 1 fully meets the limited requirements of 35 U.S.C. 112, 2<sup>nd</sup> paragraph and is in suitable condition to support both examination and allowance.

As to claim 11, the applicant has filed this RCE in order to avail the Examiner of the opportunity to now search specifically for the concepts presented.

Respectfully submitted,

By: 

Steven G. Parmelee  
Registration No. 28,790

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FITCH, EVEN, TABIN & FLANNERY  
Suite 1600  
120 South LaSalle  
Chicago, Illinois 60603-3406  
Telephone: (312) 577-7000  
Facsimile: (312) 577-7007